

The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

January 21, 2005

CERTIFIED MAIL
7000 1670 0001 2915 7547
RETURN RECEIPT REQUESTED

NOTICE OF PAST VIOLATION

Hitchiner Manufacturing Co., Inc.
P.O. Box 2001
Milford, NH 03055

Attn: John Morrison III, President

Re: Hitchiner Manufacturing Co., Inc.
1 Scarborough Lane
Milford, New Hampshire
EPA ID # NHD510001589

Dear Mr. Morrison:

On December 14, 2004, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of Hitchiner Manufacturing Co., Inc. ("Hitchiner"); located at 1 Scarborough Lane in Milford, NH. The purpose of the inspection was to determine Hitchiner's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection, the following deficiency in your hazardous waste management program was documented:

1. Env-Wm 509.03 – Satellite Storage

At the time of the inspection, Hitchiner was handling one (1) 55-gallon container of hazardous waste "oil" (F003) located in the maintenance area as a satellite storage container and one (1) 5-gallon container of hazardous waste "booster fluid" (D001, D002) located next to the mold injection loading dock as a satellite storage container. The location of these containers did not meet the definition of "at or near the point of generation."

Env-Wm 509.03 requires that all satellite storage containers be located at or near any point of generation where the wastes initially accumulate and be under the control of the operator of the process generating the waste.

DES requested that Hitchiner manage the container of hazardous waste oil located in the maintenance area and the container of hazardous waste booster fluid located next to the mold injection loading dock according to the provisions of Env-Wm 509.02 (i.e., full storage area regulations). Alternatively, Hitchiner was given the option of modifying its container management practices to meet the requirements of Env-Wm 509.03.

In a December 22, 2004 email, Mr. Eric Brett, Corporate Safety and Environmental Affairs Manager, provided a written work instruction regarding the handling of the hazardous waste booster fluid, the work instruction is designed to ensure that the container will be stored near the point of generation. Mr. Brett also stated that it has been determined that the hazardous waste oil is not a hazardous waste and he further stated that it would be handled as a Used Oil for Recycle. No further action is required.

DES believes the deficiency identified during the inspection has been corrected and acknowledges receipt of documents that corroborate the corrective measures taken by Hitchiner to achieve compliance. Accordingly, no further action in response to the listed deficiency is required. However, DES personnel may re-inspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility.

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This report may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

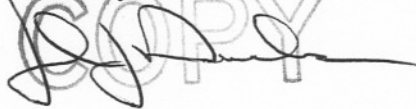
As a service to New Hampshire's hazardous waste generators, the Division currently maintains a Hazardous Waste Assistance Hotline which is available for the public to contact our knowledgeable staff of hazardous waste inspectors. The hazardous waste staff members are available to answer questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program, including the administrative plans and documents required under the Hazardous Waste Rules. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets on specific sections of the Hazardous Waste Rules,

DES

copies of EPA and New Hampshire hazardous waste policies, regulatory interpretation letters and networking with other state or federal agencies to answer any questions at a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM toll-free at (1-866) HAZ-WAST (in-state only) or at (603) 271-2942.

Should you have any questions regarding this letter, please contact the lead inspector, Robert Bishop, or Tod Leedberg of the Hazardous Waste Compliance Bureau at 271-2942. Thank you for your cooperation.

Sincerely,



John J. Duclos, Administrator
Hazardous Waste Compliance Bureau
Waste Management Division

cc: DB/RCRA/LOD/Archives
Anthony P. Giunta, P.G., Director, WMD
Gretchen Hamel, Administrator, DES Legal Unit
Eric Brett, Corporate Safety and Environmental Affairs Manager, Hitchiner Manufacturing Co., Inc.,
P.O. Box 2001, Milford, NH 03055

E-mail: JJD/SD

Enclosure: Hazardous Waste Generator Inspection Report